



Atty. Docket No. A31909-PCT-USA (072874-0153)

PATENT

OCT 7 2003  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hanash et al. et al.

Serial No. : 09/848,948 Examiner: Rawlings, S.L.

Filed : May 4, 2001 Group Art Unit: 1642

For : S100 PROTEINS AND AUTOANTIBODIES AS SERUM MARKERS FOR CANCER

Customer No.: 21003

**INFORMATION DISCLOSURE STATEMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelop addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Carmella L. Stephens  
Attorney Name

41,328  
PTO Registration No.

Carmella L. Stephens  
Signature

October 8, 2003  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.97 and 1.98, applicants respectfully request that the documents listed below in reverse chronological order and on the accompanying PTO 1449 be considered by the Examiner and made of record in the above-referenced application.

Several of the listed patent documents have been cited on the International Search Report for International Patent Application No. PCT/US99/26226, to which the present application claims priority. A copy of the International Search Report is also enclosed, which indicates the possible relevance of each document cited therein.

10/15/2003 MBLANCO 0000006 09848948

02 FC:1806

180.00 OP

NY02:458677.1

1. Mochizuki et al., (1999) "Possession System: Middleware for Adaptive Multiuser Applications in a Mobile Environment", IEEE: 198-205;
2. International Patent Publication No. WO 98/37420 published August 27, 1998, with English language abstract;
3. International Patent Publication No. WO 98/35985 published August 20, 1998;
4. International Patent Publication No. WO 98/01471 published January 15, 1998;
5. Hansson et al., (1997) "Prognostic Value of Serum Analyses of S-100 Protein  $\beta$  in Malignant Melanoma", Anticancer Research, 17 ; 3071-3074;
6. Karnell et al. (1997) "S100B protein, 5-S-cysteinyl-dopa and 6-hydroxy-%-methoxyindole-2-carboxylic acid as biochemical markers for survival prognosis in patients with malignant melanoma," Melanoma Research, 7:393-399;
7. E. von Schoultz et al., (1996) "Prognostic value of serum analyses of S-100 $\beta$  protein in malignant melanoma", Melanoma Research, vol. 6: 133-137;
8. Russian Patent No. 2,045,759 issued October 10, 1995 with English language abstract;
9. U.S. Patent No. 5,405,749 issued April 11, 1995;
10. U.S. Patent No. 5,350,687 issued September 27, 1994;
11. European Patent No. 0 585 201 issued March 2, 1994 with English language abstract;
12. Merzak et al., (1994), "Overexpression of the *18A2/mts1* gene and down-regulation of the TIMP-2 gene in invasive human glioma cell lines *in vitro*", Neuropathol App. Neurobiol. 20: 614-619;
13. Inoue et al., (1993) "Distribution of S-100 protein-positive dendritic cells and expression of HLA-DR antigen in transitional cell carcinoma of the urinary bladder in relation to tumour progression and prognosis", Virchows Arch A Pathol Anat 422: 351-355;
14. International Patent Publication No. WO 92/18535 published October 29, 1992;
15. Butler, J.E., (1981) "The amplified ELISA: Principles of and Applications for the Comparative Quantitation of Class and Subclass Antibodies and the Distribution of Antibodies and Antigens in Biochemical Separates", Meth. Enzymol., 73: 482-523; and

16. Voller et al., (1978) "Enzyme immunoassays with special reference to ELISA techniques", J. Clin. Pathol., 31: 507-520.

Copy of references 1-16 are enclosed.

Enclosed are English language abstracts corresponding to foreign language references Russian Patent No. 2,045,759 and European Patent No. 0 585 201.

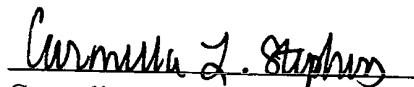
The submission of this Information Disclosure Statement does not represent that a search has been made or that no better art exists, and does not constitute an admission that any of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits of referenced application. Therefore, a check in the amount of \$180 is enclosed. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

  
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Carmella L. Stephens  
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212.408.2500

<p><b>Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office</b></p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i></p> <p>OCT 10 2003</p>	Atty. Docket No. A31909-PCT-USA (072874.0153)	Serial No. 09/848,948
	Applicants Hanash et al.	
	Filing Date May 4, 2001	Group Art Unit 1642

## **U.S. PATENT DOCUMENTS**

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## **FOREIGN PATENT DOCUMENT**

FOREIGN PATENT DOCUMENT													
	Document No.							Date	Country	Class	SubClass	Translator	
	9	8	3	7	4	2	0	08/27/98	WO			Yes	No
	9	8	3	5	9	8	5	08/20/98	WO				
	9	8	0	1	4	7	1	01/15/98	WO				
	2	0	4	5	7	5	9	10/10/95	RU				
	0	5	8	5	2	0	1	03/02/94	EP				

**OTHER DOCUMENTS** (including Author, Title Date, Pertinent Pages, Etc.)

		Inclusion/Exclusion Criteria (including Author, Title, Date, Pertinent Pages, Etc.)
		Mochizuki et al., (1999) "Possession System: Middleware for Adaptive Multiuser Applications in a Mobile Environment", IEEE: 198-205.
		Karnell et al. (1997) "S100B protein, 5-S-cysteinyl-dopa and 6-hydroxy-%-methoxyindole-2-carboxylic acid as biochemical markers for survival prognosis in patients with malignant melanoma," Melanoma Research, 7:393-399
		Hansson et al., (1997) "Prognostic Value of Serum Analyses of S-100 Protein $\beta$ in Malignant Melanoma", Anticancer Research, 17 ; 3071-3074.
		E. von Schoultz et al., (1996) "Prognostic value of serum analyses of S-100 $\beta$ protein in malignant melanoma", Melanoma Research, vol. 6: 133-137.
		Merzak et al., (1994), "Overexpression of the <i>18A2/mts1</i> gene and down-regulation of the TIMP-2 gene in invasive human glioma cell lines <i>in vitro</i> ", Neuropathol App. Neurobiol. 20: 614-619.

Examiner

**Date Considered**

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.  
NY02:458672.1

<p><b>Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office</b></p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)</b></p> <p>OCT 10 2003 8:30 AM SAC</p>	<p>Atty. Docket No. <b>A31909-PCT-USA (072874.0153)</b></p> <p>Applicants <b>Hanash et al.</b></p> <p>Filing Date <b>May 4, 2001</b></p>	<p>Serial No. <b>09/848,948</b></p> <p>Group Art Unit <b>1642</b></p>
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## U.S. PATENT DOCUMENTS

**FOREIGN PATENT DOCUMENT**

**OTHER DOCUMENTS** (including Author, Title Date, Pertinent Pages, Etc.)

Inoue et al., (1993) "Distribution of S-100 protein-positive dendritic cells and expression of HLA-DR antigen in transitional cell carcinoma of the urinary bladder in relation to tumour progression and prognosis", *Virchows Arch A Pathol Anat* 422: 351-355.

Butler, J.E., (1981) "The amplified ELISA: Principles of and Applications for the Comparative Quantitation of Class and Subclass Antibodies and the Distribution of Antibodies and Antigens in Biochemical Separates", Meth. Enzymol 73: 482-523.

Voller et al., (1978) "Enzyme immunoassays with special reference to ELISA techniques", J. Clin. Pathol., 31: 507-520.

**Examiner** \_\_\_\_\_

### Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.  
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